Senate File 15 - Introduced

SENATE FILE 15 BY SINCLAIR

A BILL FOR

- 1 An Act creating the criminal offense of invasion of privacy by
- 2 trespassing and providing a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 15

- 1 Section 1. <u>NEW SECTION</u>. 709.21A Invasion of privacy by 2 trespassing.
- 3 l. A person commits invasion of privacy by trespassing if 4 all of the following apply:
- 5 a. The person knowingly views or photographs or films
- 6 another person through the window or any other aperture of a
- 7 house or place of dwelling of the other person.
- 8 b. The person is trespassing on the property of the other 9 person as provided in section 716.7.
- 10 c. The other person does not have knowledge about and
- 11 does not consent or is unable to consent to the activity in
- 12 paragraph "a".
- 2. As used in this section, "photographs or films" means the
- 14 making of any photograph, motion picture film, videotape, or
- 15 any other recording or transmission of the image of a person.
- 16 3. A person who violates this section commits an aggravated 17 misdemeanor.
- 18 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- This bill creates the criminal offense of invasion of privacy by trespassing.
- 23 Under the bill, a person commits invasion of privacy by
- 24 trespassing if the person views or photographs or films another
- 25 person through the window or any other aperture of a house or
- 26 dwelling of the other person, the person is trespassing on the
- 27 property of the other person, as defined in Code section 716.7,
- 28 and the other person does not have knowledge about and does not
- 29 consent or is unable to consent to such an activity.
- 30 The bill defines "photographs or films" to mean the making of
- 31 any photograph, motion picture film, videotape, or any other
- 32 recording or transmission of the image of a person in a house
- 33 or place of dwelling.
- 34 A person who violates the bill commits an aggravated
- 35 misdemeanor. An aggravated misdemeanor is punishable by

- $\ensuremath{\text{l}}$ confinement for no more than two years and a fine of at least
- 2 \$625 but not more than \$6,250.